

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2009-053243

08/03/2012

HONORABLE GERALD PORTER

CLERK OF THE COURT
C. Smothers
Deputy

IN RE THE MARRIAGE OF
JESSICA LYNN SPILLER

JENNIFER B RUBIN

AND

SAM ADAM SPILLER

SARAH M BARRIOS

LAB EXPRESS INC - PHOENIX
TASC - PHOENIX
JULIE SKAKOON
7500 E MCDONALD DR STE 400A
SCOTTSDALE AZ 85250

MINUTE ENTRY

Courtroom 110 – Northeast Regional Court Center

11:24 a.m. This is the time set for a Review Hearing regarding Respondent's Motion for Temporary Orders filed on June 7, 2012, and Mother's request for paternity testing. Petitioner/Mother, Jessica Spiller, is present with above-named counsel. Respondent/Father, Sam Spiller, is present with above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held.

For reasons set forth on the record,

IT IS ORDERED denying Mother's request for paternity testing.

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The status of the case is discussed.

Pursuant to the matters presented,

IT IS ORDERED no later than 5:00 p.m. today Father shall appear at Lab Express for a hair follicle test. If the result of the hair follicle test is negative, Mother shall immediately reimburse Father for the full cost of the test.

IT IS FURTHER ORDERED that Father shall undergo random substance abuse testing on the following basis:

- A. Agency. Father's random drug testing shall be conducted at a location of TASC, Inc., the main office of which is at 2234 North 7th Street, Phoenix, Arizona, 602-254-7328. Other locations are listed on the TASC referral form and may be viewed at www.tascaz.org.
- B. First Test. Father shall report to TASC no later than 5:00 p.m. today for his first test.
- C. Scope. Father shall undergo an alcohol/ETG test for each test ordered herein.
- D. Cooperation. Father shall cooperate fully as reasonably required by the testing agency to comply with this Order, including:
 - 1. Father shall provide such samples as are reasonably required by the testing agency to comply with this order.
 - 2. Father shall timely report for testing and provide samples as directed by the testing agency.
 - 3. Father shall present photo identification to the testing agency at the time of each test.
 - 4. Father shall sign and deliver such forms of consent, authorization and release of test results as shall be reasonably required by the testing agency to comply with this Order.
- E. Cost. Father shall pay the cost of his testing in money order or cashier's check at the time of testing.
- F. Frequency & Duration. Father shall be randomly tested not less than twice per week for a period of ten weeks.

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- G. Positive/Diluted/Missed Test. All parties are advised that the failure, neglect or refusal to participate in testing, or providing a diluted test sample at the time of testing, may be considered an admission by the party that the testing, if properly conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of a child. Certain prescription medications may cause a positive drug test result. Parties who are required to drug test are expected to provide proof to the court of prescriptions and documentation from health care providers regarding the lawful possession and use of those medications.
- H. Reporting. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court. The results of each test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a Monthly Drug Test Summary Report.

ISSUED: Court Ordered Substance Abuse Testing form

IT IS FURTHER ORDERED appointing a Court Appointed Advisor (CAA) to investigate the case and make recommendations to the Court. The appointment shall be fully set forth by separate minute entry. Each party shall be responsible for one-half of the CAAs fee, subject to reallocation at a later date. The CAA shall address Mother's allegations that there has been significant domestic violence by Father to Mother in front of the child and that Father has physically harmed the child. The CAA shall also address Father's allegations that Mother is alienating the child, discussing issues regarding Father and this case with the child, and sending abusive communications to Father.

11:39 a.m. The Court stands at recess to allow the parties to confer and attempt to reach an agreement regarding the appointment of a therapeutic interventionist.

11:55 a.m. Court reconvenes with both parties and respective counsel present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The parties advise the Court that they have agreed on Julie Skakoon as Therapeutic Interventionist.

IT IS THEREFORE ORDERED appointing Julie Skakoon as Therapeutic Interventionist. The parties shall immediately contact Ms. Skakoon to arrange for Father to begin exercising supervised parenting time for up to 10 hours per week. The parties shall cooperate

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with one another and Ms. Skakoon to ensure that the child is present and Father's parenting time takes place as directed by Ms. Skakoon. Each party shall be responsible for one-half of Ms. Skakoon's fees, subject to reallocation at a later date. The terms and conditions of the appointment shall be fully set forth by separate minute entry.

IT IS FURTHER ORDERED setting a Review Hearing regarding therapeutic intervention and the Court Appointed Advisor's report and recommendations on **September 18, 2012, at 10:30 a.m.** (time allotted: 15 minutes), in this Division, at:

Maricopa County Superior Court
Northeast Regional Court Center
18380 N. 40th St, Courtroom 110
Phoenix, AZ 85032

11:59 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.